

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

THE STORE LLC,

Plaintiff,

v.

Civil Action: 2:06-cv-79
(Judge Bailey)

NATIONWIDE MUTUAL FIRE
INSURANCE COMPANY,

Defendant.

**ORDER CONFIRMING PRONOUNCED ORDER OF THE COURT GRANTING AS
FRAMED DEFENDANT'S MOTIONS TO COMPEL**

On July 31, 2007, came Plaintiff, by Virginia Jackson Hopkins, and Defendant, by Susan R. Snowden, for Defendant's motions to compel (docket 25 and 31). At the hearing, the Court orally pronounced a ruling. The Court ruled as follows:

(1) Plaintiff shall provide Defendant with all documentation showing the building at issue was a total loss and a statement of all facts supporting this claim. If Plaintiff has the documents in its possession, it must provide Defendant with copies of them. If Plaintiff previously provided Defendant with the documents and now does not have copies, it must specifically refer to the documents it will use to support its claim that the building was a total loss.

(2) Plaintiff shall provide Defendant with all documentation relating to any damages it claims and a statement of specific damages and the facts underlying these damages. If Plaintiff has the documents in its possession, it must provide Defendant with copies of them. If Plaintiff previously provided Defendant with the documents and now does not have copies, it must specifically refer to the documents it will use to support its damages claim.

Plaintiff shall accomplish its duties under this order by August 14th. However, it shall mail any

documents it produces to Defendant by August 13th.

IT IS SO ORDERED.

Any party may, within ten (10) days after being served with a copy of this Order, file with the Clerk of the Court written objections identifying the portions of the Order to which objection is made, and the basis for such objection. A copy of such objections should also be submitted to the District Court Judge of Record. Failure to timely file objections to the Order set forth above will result in waiver of the right to appeal from a judgment of this Court based upon such Order.

Filing of objections does not stay this order. Filing a motion to stay this order does not stay this order. In the absence of an order from the district court staying this order, all parties must comply with this order in a timely fashion as set forth herein.

The Clerk is directed to mail a copy of this order by certified mail to counsel for Plaintiff.

DATED: August 2, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE